

United States District Court
Northern District of Ohio

UNITED STATES OF AMERICA
v.
KEVIN BEDELL

JUDGMENT IN A CRIMINAL CASE

Case Number: 1:06CR564-005

USM Number: 30975-160

MITCHELL YELSKY
Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s): 1 of the Indictment.
☐ pleaded nolo contendere to counts(s) ___ which was accepted by the court.
☐ was found guilty on count(s) ___ after a plea of not guilty.

The defendant is adjudicated guilty of these offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 USC 846	Conspiracy to Distribute Cocaine Base/Cocaine	11/8/2006	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on counts(s) ____.
- ☒ Count(s) 6 of the Indictment (is) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States Attorney of material changes in the defendant's economic circumstances.

November 26, 2007
Date of Imposition of Judgment

Christopher A. Boyko
Signature of Judicial Officer

CHRISTOPHER A. BOYKO, United States District Judge
Name & Title of Judicial Officer

12/3/07
Date

FILED

DEC 3 2007

CLERK OF COURT

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO

AO 245B (Rev. 6/05) Sheet 2 - Imprisonment

CASE NUMBER: 1:06CR564-005
DEFENDANT: KEVIN BEDELL

Judgment - Page 2 of 6

IMPRISONMENT

The defendant is committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 110 Months.

The defendant shall participate in the Bureau of Prison's Substance Abuse Treatment Program. The defendant shall participate in the Bureau of Prison's Residential Substance Abuse Treatment Program, the 500 Hour Intensive Drug/Alcohol Program. The Defendant shall be given credit for time served.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district.

☐ at ___ on ___.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2:00 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

Deputy U.S. Marshal

CASE NUMBER: 1:06CR564-005

Judgment - Page 3 of 3

DEFENDANT: KEVIN BEDELL

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 Years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 8/05) Sheet 4 - Supervised Release

CASE NUMBER: 1:06CR564-005

Judgment - Page 4 of 3

DEFENDANT: KEVIN BEDELL

SPECIAL CONDITIONS OF SUPERVISED RELEASE

The defendant shall provide the probation officer access to all requested financial information.

The defendant shall participate in an approved program of outpatient, inpatient or detoxification substance abuse treatment, which will include drug and alcohol testing to determine if the defendant has reverted to substance abuse.

The defendant shall submit his residence, place of business, computer, or vehicle to a warrantless search, conducted and controlled by the U.S. Pretrial Services and Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

AO 245B (Rev. 6/05) Sheet 5 - Criminal Monetary Penalties

CASE NUMBER: 1:06CR564-005
DEFENDANT: KEVIN BEDELL

Judgment - Page 5 of 5

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100	\$ WAIVED	\$ N/A

- ☐ The determination of restitution is deferred until __. An amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment unless specified otherwise in the priority order of percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>*Total Loss</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
<u>TOTALS:</u>	\$ ____	\$ ____	

- ☐ Restitution amount ordered pursuant to plea agreement \$ ____
- ☐ The defendant must pay interest on restitution and a fine of more than \$2500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived for the ☐ fine ☐ restitution.
- ☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev. 6/05) Sheet 6 - Criminal Monetary Penalties

CASE NUMBER: 1:06CR564-005
DEFENDANT: KEVIN BEDELL

Judgment - Page 6 of 5

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ due immediately, balance due
☐ not later than or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C ☐ D, or ☐ F below); or
- C ☐ Payment in equal installments of \$ over a period of , to commence days after the date of this judgment; or
- D ☐ Payment in equal installments of \$ over a period of , to commence days after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The Court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:
☒ A special assessment of \$ 100.00 is due in full immediately as to count(s) 1.
PAYMENT IS TO BE MADE PAYABLE AND SENT TO THE CLERK, U.S. DISTRICT COURT
☐ After the defendant is release from imprisonment, and within 30 days of the commencement of the term of supervised release, the probation officer shall recommend a revised payment schedule to the Court to satisfy any unpaid balance of the restitution. The Court will enter an order establishing a schedule of payments.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several (Defendant name, Case Number, Total Amount, Joint and Several Amount and corresponding payee):
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal; (3) restitution interest; (4) fine principal; (5) fine interest; (6) community restitution; (7) penalties; and (8) costs, including cost of prosecution and court costs.



**U. S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
RESIDENTIAL REENTRY OFFICE**
36 East 7th Street, Suite 2107-A
Cincinnati, Ohio 45202

Date: October 28, 2013
From: Stephen Armstrong, RRM
Cincinnati, OH
To: United States Marshals, Columbus, OH
CC: United States Marshals Service, Washington, D.C.
ATTN: Enforcement Operations Division
Re: Escaped Federal Prisoner. This is your authority to
apprehend the below-named prisoner.
Name: Bidell, Kevin
Reg. No. 30975-160

Present Location: Unknown

Contract Location: Oriana House for Men
55 East Glenwood Ave.
Akron, Ohio 44309

Community Contacts:

Rhonda Johnson, Mother, 3756 E. 143rd Street, Cleveland, Ohio 44128, phone (216) 401-0152

BP-S393.058 NOTICE OF ESCAPED FEDERAL PRISONER CDFRM

APR 10

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Institution: Residential Reentry Office Cincinnati, OH 45202				Date: October 28, 2013		
Name: Bidell, Kevin		Number: 30975-160		Date of Birth:		Age: 30
Sex: Male	Race: Black	Height: 5'08"	Weight: 210	Eyes: Brown	Hair: Black	Place of Birth: Cleveland, OH
Citizenship: U.S.		Build: Large		Home Address: 424 S. State St. Painesville, OH 44077 (440) 251-4878		
Scars, Marks, Tattoos: None known				Occupation: D/T Midtown Industry		
Last Used Aliases: None known				F.B.I. No.:		S.S.N.:
Sentence <u>110 months</u> Years/Mos./Days Offense: Conspiracy to Distribute of Cocaine Base/Cocaine				Original Arresting Agency: U.S. Marshals		
				<p>Details of Escape: At approximately 12:25 p.m., Oriana Staff were unable to locate inmate Bedell. A review of the Oriana House's recorded video revealed he had walked out of the facility at approximately 11:27 a.m. Earlier on this date, inmate Bedell had received an incident report for testing positive for Opiates.</p> <p>RRM was notified on October 28, 2013, at approximately 12:40 p.m.</p> <p>USMS was notified on October 28, 2013, at approximately 1:26 p.m.</p> <p>Armed: Unknown</p> <p>Consider Dangerous: History of Assault</p>		

SUBJECT TO THE CONDITIONS OF TITLE 28, PART 7, SECTION 7.1 - 7.5 OF THE CODE OF FEDERAL REGULATIONS, A STANDING OFFER TO REWARD IS MADE FOR THE CAPTURE, OR ASSISTANCE IN, OR FURNISHING INFORMATION LEADING TO THE CAPTURE OF AN ESCAPED FEDERAL PRISONER. THIS REWARD SHALL NOT BE IN EXCESS OF \$200 UNLESS SPECIFICALLY GRANTED BY THE DIRECTOR OF THE BUREAU OF PRISONS.

IF APPREHENDED, OR IF YOU HAVE INFORMATION CONCERNING THE PRISONER, WIRE OR TELEPHONE COLLECT THE NEAREST OFFICE OF THE FEDERAL BUREAU OF INVESTIGATION (F.B.I.), OR CONTACT THE CHIEF EXECUTIVE OFFICER OF THIS FACILITY.

TELEPHONE NUMBER: (513) 684-2603
Area Code

Stephen Armstrong
Chief Executive Officer

Residential Reentry Manager
Title

EMS-907.073

APR 08

RESIDENTIAL REENTRY ESCAPE REPORT

CDFRM SENTRY EMS

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Name of Reporting Official Pamela J. Chaney		Title RRS	Office CCN		Date Submitted 10-28-2013
Name of Inmate Bedell, Kevin		Register No. 30975-160	Race Black	Sex Male	Date of Birth 08-01-1983
<input checked="" type="checkbox"/> Escape from custody; or <input type="checkbox"/> Escape due to community arrest If community arrest: <input type="checkbox"/> New criminal behavior; or <input type="checkbox"/> Old criminal behavior			Date and Time of Escape 10-28-2013 @ 11:27 a.m. Date and Time USMS Notified 10-28-2013 @ 1:26 p.m.		
Sentence 110 months		Date Imposed 11-26-2007			
Offense Conspiracy to Distribute Cocaine Base/Cocaine					
Security Level Medium	Custody Community	Public Safety Factor <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
CIMS Category <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Separation <input type="checkbox"/> Disruptive Group <input type="checkbox"/> State <input type="checkbox"/> Other (Specify)					
Institution Transfer from FCC Petersburg		Direct Court Commitment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Arrival Date 07-16-2013	Projected Release Date 01-11-2014		Method of Release 3621E CMPL		
Escape or Technical Escape occurred from (Loc. Code) Oriana House for Men (5WW)		Address of Facility 55 E. Glenwood Avenue, Akron, OH 44309			
Type of Facility: <input checked="" type="checkbox"/> RRC <input type="checkbox"/> Juvenile <input type="checkbox"/> Long-Term Adult <input type="checkbox"/> Short-Term Adult					
Program Participation <input type="checkbox"/> Home Confinement <input type="checkbox"/> ICC <input checked="" type="checkbox"/> 3621 (e) <input type="checkbox"/> Other (Specify) <input type="checkbox"/> N/A					

Circumstances (use additional pages as needed) - Include background information on the offender, offense, and special management concerns not detailed in PPGO, along with details of the escape.

Inmate Bedell transferred from FCC Petersburg to Oriana House Residential Reentry Center (RRC) on 07-16-2013. Inmate Bedell was participating in TDAT and the Employment Readiness Class. He obtained employment on 07-18-2013. Inmate Bedell was found with a cell phone on 08-06-2013, and a CDC for Code 305, Possession of Anything Not Authorized, was sent to the DHO on 08-14-2013. The report is still pending. The RRC received tests results from Alere Toxicology on 10-28-2013 that revealed inmate Bedell was positive for opiates on 10-22-2013. A federal incident report was written for Code 112, Use of Any Narcotics, on 10-28-2013 and the RRC was prepared to deliver the incident report to inmate Bedell. He could not be located. A review of the RRC security video revealed that inmate Bedell walked out of the facility at 11:27 a.m. on 10-28-2013 without permission.

This is not a VWP case. There is no known media attention on this case. The Residential Reentry Manager (RRM) was notified of the escape on 10-28-2013 at 12:40 p.m.

Routing - via fax: U.S. Marshal Service, FBI, Sentencing Judge; Parole Commission CEO (if applicable)

via e-mail: BOP-CCD/Comm Corr; BOP-CCD/Central Sector; BOP-CPD/Corr Svcs; GRA-DSC/TeamFoxTrot; Sending Facility ISM & Warden; NCRO (Regional Counsel); TDAT (if applicable).

Record Copy: Inmate Central File

This form may be replicated via WP